

# EXHIBIT 3

May 29, 2024

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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STEPHANIE SMARGISSO, individually Case No.:  
and as successor-in-interest to 4:23-CV-01414-HSG  
Decedent WILLIAM ANKIEL JR.,  
et al.,

Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION  
(sued individually and as  
successor-in-interest to  
BUFFALO PUMPS, INC.), et al.,  
Defendants.

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REMOTE EXPERT WITNESS DEPOSITION OF  
ARNOLD P. MOORE, PE  
SAN PEDRO, CALIFORNIA  
MAY 29, 2024

REPORTED BY: CARI L. GONZAGA, CSR NO. 12401  
FILE NO.: 6719278

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1           A.     Certainly, that's where the individual sailors  
2     doing the work would obtain the replacement parts.  If  
3     they weren't available in the stores, then supply  
4     department aboard that ship would have been responsible  
5     for finding the materials for that sailor.

6           Q.     In turn, the ships stores would obtain  
7     replacement gaskets or replacement packing through a  
8     land-base Naval supply warehouse, true?

9           A.     Yes, that's where they most commonly obtain  
10    their material.

11          Q.     And in turn, again, the land-base Naval supply  
12    warehouse would obtain replacement gaskets or  
13    replacement packing directly from the manufacturers of  
14    gaskets and packing based upon a bulk contract  
15    negotiated by the Navy to obtain a quantity discount,  
16    true?

17          A.     That's where the Navy obtains some of their  
18    replacement gaskets and packing, but as I've cited in my  
19    report, there's numerous examples of the Navy including  
20    the ships parts control center and mechanics of  
21    obtaining gaskets and packing directly from machinery  
22    manufacturer.

23          Q.     The Navy knew it was going to be needing or  
24    using in the regular maintenance of its ships and the  
25    equipment aboard the ships gaskets and packing, true?

1 would have access in membership to prepare the Manual.

2 Q. The United States Navy also had other  
3 documents that it provided to its sailors Rate  
4 Advancement Manuals, true?

5 A. Correct.

6 Q. And there were Rate Advancement Manuals for  
7 people working in the fire room or boiler room, true?

8 A. There were Rate Advancement Manuals for Boiler  
9 Technicians that were earlier called boiler men, yes.

10 Q. So what, if anything, prevents the United  
11 States Navy from including an asbestos cautionary  
12 statement in the Rate Advancement Training Manuals for  
13 Boiler Technicians in 1975?

14 A. Again, my opinion is that the Navy, at that  
15 point in time, was concerned primarily about the health  
16 of shipyard insulators and did not, at that point in  
17 time, believe that that sort of occasional exposure to  
18 sailors was likely going to result in disease.

19 They did change their mind as you moved  
20 through the 1970s, and I've covered some of those  
21 documents in my report.

22 Q. You would agree with me that if, as of  
23 November of 1922, the Navy had identified asbestos dust  
24 as an inorganic dust health hazard and also identified  
25 four effective methods to prevent inhalation of asbestos